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REMARKS

Claims 1-26 are pending in the application. Claims 1-26 stand rejected and Applicants respectfully request reconsideration of these claims in light of the remarks herein.

35 U.S.C. §102

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as anticipated by Herrero et al. ("Herrero", U.S. Publication No. 2005/0009520). The Examiner submits that Herrero discloses all elements of Claim 1. As to Claims 2-26, the Examiner makes no mention whatsoever of what sections of Herrero allegedly anticipate the claimed elements.

First and foremost, Applicants respectfully traverse the rejection and submit that the Examiner has failed to meet her burden of proof. Applicants are at a loss as to the Examiner's position with respect to Herrero and as a result, Applicants are unable to address the Examiner's concerns with either claim amendments or specific comments directed to Herrero. The Examiner made absolutely no showing of how Herrero anticipates each and every claim. In fact, the Examiner has made no more than generalized allegations regarding what Herrero discloses with respect to Claim 1. More specifically, the Examiner states that "Regarding claim 1", Herrero discloses each and every element of the claim. The Examiner thereafter recites the entire claim and at the end of the recitation, points to pages 7-10 of Herrero (paragraphs 80-117) to "support" the rejection. Applicants respectfully submit that simply pointing to 29 paragraphs of the reference and making the general statement that these paragraphs disclose each element of Claim 1 is inadequate to meet the Examiner's burden. And with respect to Claims 2-26, the Examiner makes no further mention of these claim after making the bald statement that the claims are rejected based on Herrero,.

Applicants respectfully submit that by failing to specifically point to specific sections of Herrero and by failing to clearly articulate how the section(s) allegedly read(s) on the claimed elements, the Examiner has failed to establish a *prima facie* case of anticipation. As is well-established, in order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, the cited prior art must disclose every limitation of

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the claims being rejected. Therefore, if even one claim element or limitation is not disclosed by the reference, a *prima facie* case is not established. Additionally, as the Federal Circuit has noted,

“As adapted to *ex parte* procedure, *Graham* [v. John Deere Co.] is interpreted as continuing to place the burden of proof on the Patent Office which requires it to produce the factual basis for its rejection of an application under sections 102 and 103.”

In re Piasecki, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984) (citing *In re Warner*, 379 F.2d 1011, 1016, 154 USPQ 173, 177 (CCPA 1967)). The Examiner thus has the burden of producing a factual basis for her rejection and for establishing anticipation by identifying how each recited claim element is allegedly disclosed by the cited reference(s). Applicants respectfully submit that the Examiner has failed to establish such a *prima facie* case and has merely provided bare allegations that Herrero anticipates Claim 1. And with respect to Claims 2-26, the Examiner makes no allegations whatsoever of how or why Herrero anticipates these claims.

Applicants therefore respectfully invite the Examiner to clarify the Examiner's interpretation of these sections of Herrero. Barring that, Applicants maintain that Applicants' own reading of Herrero support Applicants' position that Herrero does not disclose various elements in Claims 1-26. For example, paragraph 89 makes reference to “FIGS. 4 to 6 to illustrate a novel method and system arrangements according to the present invention for handling multiple registrations in a 3G system of a given user (IM-user) that holds a single subscription (IM subscription) in said system.” Nothing in this paragraph (or the subsequent 28 paragraphs highlighted by the Examiner) gives Applicants any indication that the subject matter disclosed in these paragraphs is at all relevant to the invention claim herein.

In conclusion, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. § 102 rejection to Claims 1-26.

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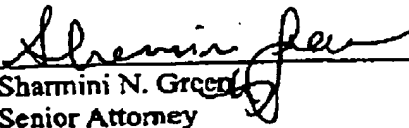
CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1-26 are now in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (714) 669-1261.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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